

Court of Appeals, State of Michigan

ORDER

Clyde Mullins v St Joseph Mercy Health System

Docket No. 258139

LC No. 03-000812-NH

Peter D. O'Connell

Presiding Judge

Patrick M. Meter

Bill Schuette

Judges

In lieu of granting the application, the Court orders, pursuant to MCR 7.205(D)(2) and MCR 7.216(A)(7), that the September 13, 2004, order of the Washtenaw County Circuit Court denying dismissal to defendants is VACATED. The case is REMANDED to the circuit court for reconsideration of defendants' motion in light of *Ousley v McLaren*, __ Mich App __; __ NW2d __ (Docket No. 248972, published opinion issued 11/23/04).

We do not retain jurisdiction.

Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 20 2005
Date

Sandra Schultz Mengel
Chief Clerk